



**SEALED**

**Office of the United States Attorney  
District of Nevada  
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**FILED**

1 UNITED STATES DISTRICT COURT MAY 27 2022  
2 DISTRICT OF NEVADA U.S. MAGISTRATE JUDGE

3 UNITED STATES OF AMERICA,  
4 PLAINTIFF,  
5 vs.  
6 PATRICK SIMS,  
7 DEFENDANT.

BY \_\_\_\_\_  
Case No. 2:22-MJ- 439 -VCF  
ORDER TO SEAL  
(Under Seal)

8 Based on the pending Application of the Government, and good cause appearing  
9 therefore, **IT IS HEREBY ORDERED** that the Complaint, the Probable Cause Affidavit,  
10 Arrest Warrant, AO257, the Government's Application, and this Court's Sealing Order, in the  
11 above-captioned matter shall be sealed until further Order of the Court.

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13 DATED this 27<sup>th</sup> day of May, 2022.

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16 UNITED STATES MAGISTRATE JUDGE  
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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PATRICK SIMS,

Defendant.

**Case No.** 2:22-MJ- 439 -VCF

**Application to Seal**

**(Under Seal)**

--The United States of America, by and through Jason M. Frierson, United States Attorney, and Bianca R. Pucci, Assistant United States Attorney, respectfully move this Honorable Court for an Order sealing the Complaint, Probable Cause Affidavit, Arrest Warrant, AO257, this Application, and the Court's Sealing Order, in the above-captioned matter, until such time as this Honorable Court, or another Court of competent jurisdiction, shall order otherwise.

Pursuant to LR IA 10-5, the Government requests that the accompanying Complaint in this case be filed under seal. *See generally*, Fed. R. Crim. P. 6(e)(4) (permitting for the sealing of an indictment); *State of Arizona v. Maypenny*, 672 F.2d 761, 765 (9th Cir. 1982) (supporting the

1 sealing of a search warrant when there is reasonable cause to believe that providing immediate  
2 notification may have adverse results); *Matter of Sealed Affidavit(s) to Search Warrants*, 600 F.2d  
3 1256 (9th Cir. 1979) (same); *In re Braughton*, 520 F.2d 765, 766 (9th Cir. 1975) (same). In this  
4 case, such an order would be appropriate because the Complaint and Affidavit relate to an  
5 ongoing criminal investigation into violations of 18 U.S.C. §§ 922(g)(1) and 924(a)(2) (*Felon in*  
6 *Possession of a Firearm*) that is not public and its disclosure may alert the target to the ongoing  
7 investigation and pending arrest warrant.

8 Public disclosure of the information in the Complaint might possibly jeopardize the  
9 investigation because Defendant Patrick Sims is not yet in custody. Although Sims is generally  
10 aware of the investigation and has spoken with investigators, he is unaware federal charges are  
11 being sought against him. If he were to learn of the charges via an unsealed Complaint, he may  
12 take evasive measures or destroy potential evidence, or both. Defendant Sims's knowledge that  
13 an arrest warrant has been issued against him may also increase risks to law enforcement in  
14 apprehending him. Accordingly, there is reason to believe that disclosure of the information  
15 will jeopardize the investigation, including by giving him an opportunity to flee, destroy or  
16 tamper with evidence, change patterns of behavior, or notify confederates....

17 DATED this 27th day of May, 2022.

18  
19 Respectfully submitted,

20 JASON M. FRIERSON  
21 United States Attorney

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23 BIANCA PUCCI  
24 Assistant United States Attorney